

**Remarks/Arguments**

In the Specification, the two paragraphs beginning on page 2, line 11 and page 2, line 17 have been amended, and no new matter has been introduced.

Claims 1-18 have been amended. No new claims have been added. No claims have been canceled. Claims 1-18 remain pending in this application. Reexamination and reconsideration of the application as amended are respectfully requested.

**Provisional Rejection of Claims 1-18 under Double Patenting**

The Examiner rejected claims 1-18 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over co-pending Application Number 09/687,412 and over co-pending Application Number 09/687,033. Applicants respectfully traverse this rejection for the reasons set forth below.

Applicants have provided an appropriate terminal disclaimer relative to co-pending Application Numbers 09/687,412 and 09/687,033.

**Rejection of Claims 1, 4, 7, 10, 13, and 16 under 35 U.S.C. §103(a)**

The Examiner rejected claims 1, 4, 7, 10, 13, and 16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565, in view of *Davis et al.*, U.S. Patent No. 5,742,829. Applicants respectfully traverse this rejection for the reasons set forth below.

The present invention provides for downloading an application program from a remote data processing system for execution **by a particular user** on a local data processing system, comprising: defining and storing a **user configuration** of the application program corresponding to a **particular user** of the application program; initiating a session between the local data processing system and the remote data processing system **in response to the particular user** requesting the application program; **authenticating the particular user** in response to the **particular user requesting** the application program; and responsive to the user authentication, downloading data from the remote data processing system to the local data processing system according to the stored **user configuration**.

*Kenner et al.* provides for updating an application program in a data processing system for execution on a local data processing system (workstation or terminal), said data processing system comprising the local data processing system and a remote data processing system, comprising: defining a **system configuration** of the application program corresponding to the **system**; determining if any items described in the **system configuration** have been updated; retrieving an updated item if the item has been updated; and building the application program with the updated item.

According to the teachings of *Kenner et al.*, if a particular user uses a system (workstation or terminal) and uses an application built on that system, then the application is built according to the system configuration, not according to a user configuration corresponding to the particular user. Furthermore, according to the teachings of *Kenner et al.*, if multiple users are using the same system, then each of the multiple users uses the same application built according to the

same single system configuration. In addition, according to the teachings of *Kenner et al.*, if the particular user moves from a first system with a first system configuration to a different second system with a second system configuration, then the particular user is forced to use the application built according to the second system configuration although the user is accustomed to using the application built according to the first system configuration.

Unlike the *Kenner et al.* system configuration with the above deficiencies, the present invention provides a novel user configuration of the application program corresponding to the particular user of the application program and builds the application according to the user configuration. The application is built according to the user configuration, not according to a system configuration. If multiple users are using the same system, then each of the multiple users may use a different build of the application built according to a different user configuration corresponding to each of the different multiple users. If the particular user moves from a first system to a different second system, then the particular user may use a build of the application built according to the user configuration corresponding to the particular user, the build of the application to which the user is accustomed.

Even if one were to combine the teachings of *Kenner et al.* and *Davis et al.*, the combination still fails to teach or suggest the present invention as the combination merely results in a system which updates an application according to a system configuration over a network connection requiring a user logon or user authentication to use the network connection. As the combination of *Kenner et al.* and *Davis et al.* teaches authenticating a user in response to a user request to use a network connection; the combination fails to teach or suggest "initiating a

session between the local data processing system and the remote data processing system in response to the particular user requesting the application program'. Furthermore, as the combination of *Kenner et al.* and *Davis et al.* only teaches authenticating a user in response to a user request to use a network connection; the combination also fails to teach or suggest "authenticating the particular user in response to the particular user requesting the application program". Applicants therefore respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of independent claims 1, 9, and 17.

Relative to dependent claims 4, 10, and 17, these dependent claims depend from independent claims 1, 7, and 13, respectively. Since these dependent claims depend from independent claims 1, 7, and 13, and Applicants believe they have successfully traversed the Examiner's rejection of independent claims 1, 7, and 13, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 4, 10, and 17.

**Rejection under 35 U.S.C. §103(a) of Claims 2, 5, 8, 11, 14, and 17**

The Examiner rejected claims 2, 5, 8, 11, 14, and 17 under 35 U.S.C. § 103(a) as being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565, in view of *Davis et al.*, U.S. Patent No. 5,742,829, and further in view of *Hsu*, U.S. Patent No. 5,894,515. Applicants respectfully traverse this rejection for the reasons set forth below.

Relative to dependent claims 2, 5, 8, 11, 14, and 17, these dependent claims depend from independent claims 1, 7, and 13, respectively. Since these dependent claims depend from

independent claims 1, 7, and 13, and Applicants believe they have successfully traversed the Examiner's rejection of independent claims 1, 7, and 13, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 2, 5, 8, 11, 14, and 17.

**Rejection under 35 U.S.C. §103(a) of Claims 3, 6, 9, 12, 15, and 18**

The Examiner rejected claims 3, 6, 9, 12, 15, and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565, in view of *Davis et al.*, U.S. Patent No. 5,742,829 in view of *Hsu*, U.S. Patent No. 5,894,515 and *Hayes, Jr.*, U.S. Patent No. 6,205,476. Applicants respectfully traverse this rejection for the reasons set forth below.

Relative to dependent claims 3, 6, 9, 12, 15, and 18, these dependent claims depend from independent claims 1, 7, and 13, respectively. Since these dependent claims depend from independent claims 1, 7, and 13, and Applicants believe they have successfully traversed the Examiner's rejection of independent claims 1, 7, and 13, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 3, 6, 9, 12, 15, and 18.

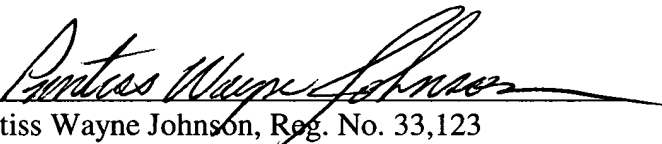
**Prior Art Made of Record and Not Relied Upon**

Applicant has reviewed the prior art made of record and not relied upon considered pertinent to Applicant's disclosure, and these fail to teach or suggest the claimed invention.

## Conclusion

Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this Application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,  
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Date: August 15, 2003